

REMARKS

The present amendment is in response to the Office Action dated July 13, 2005. Claims 1, 3-7, and 18-23 are now present in this case. Claims 1 and 3-5 are amended. Claim 2 is canceled.

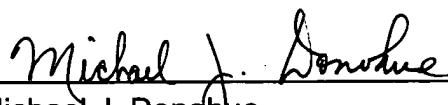
Claim 1 stands rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,409,841 to Lombard. The applicant respectfully traverses this rejection and requests reconsideration. Claim 1 has been amended to incorporate a chromatographic unit, originally recited in claim 2, to further clarify the nature of the claimed nanofiltration system. It should be noted that the system in Lombard uses only a single filtering process in stage 2 (see Figure 2) to separate sugars. In contrast, the nanofiltration system recited in claim 1 uses a chromatographic unit is configured to perform a partial separation of acids and sugars prior to delivery to the nanofiltration membrane. The nanofiltration membrane operates on sugar-contaminated acid to thereby perform a second filtration stage and remove sugar contaminants from the acid prior to the evaporation process thus preventing malfunctioning of the evaporative acid processor. Lombard does not teach or suggest such a silt filtration system.

Accordingly, claim 1 is clearly allowable over Lombard.

Claims 3-7, and 18-23 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Lombard and U.S. Publication No. 2004/0006222 A1 to Paananen. The applicant respectfully requests removal of Paananen as a reference. In support of this request, the applicant has filed herewith a declaration under 37 C.F.R. § 1.131 asserting a date of invention prior to February 25, 2003, which is the date at which Paananen is effective as a reference under 35 U.S.C. § 102(e). Although Paananen claims priority from a Finnish application, having a filing date of June 26, 2002, it is believed that this application is not in the English language and, accordingly, does not qualify as prior art until the effective U.S. filing date. Therefore, Paananen does not qualify as a reference. Claims 3-7 and 18-23 are clearly allowable over Lombard.

In view of the above amendments and remarks, reconsideration of the subject application and its allowance are kindly requested. If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 628-7640.

Respectfully submitted,
Jeffrey T. Ranney
Davis Wright Tremaine LLP



Michael J. Donobue
Registration No. 35,859

MJD:gatc

2600 Century Square
1501 Fourth Avenue
Seattle, Washington 98101-1688
Phone: (206) 622-3150
Fax: (206) 6628-7699

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